A Great Day in America: USDOT's 50th Anniversary

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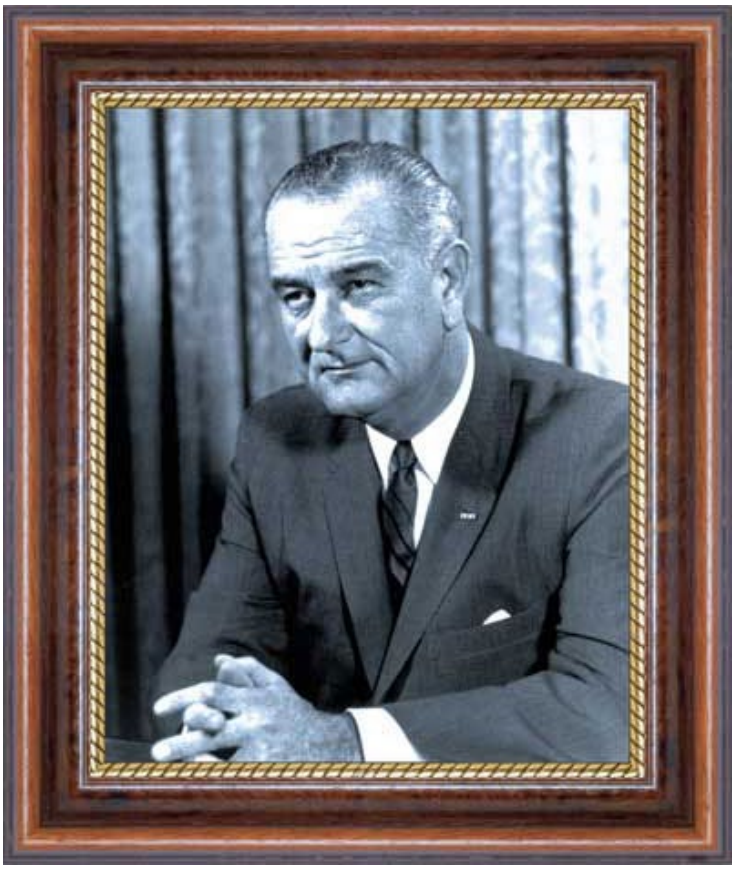
A Great Day in America: USDOT's 50th Anniversary

by Richard F. Weingroff

Pulling together the Nation's transportation agencies was not a new idea, but it took a determined President and a supportive Congress to make it happen in 1966.



President Lyndon B. Johnson initiated the legislation that established the U.S. Department of Transportation.

President Lyndon B. Johnson took office on November 22, 1963, following the assassination of President John F. Kennedy. Using legislative and political skills he had learned during more than 20 years in Congress, President Johnson immediately pushed through many laws that President Kennedy had initiated, including the Urban Mass Transportation Act of 1964. The landmark law creating a U.S. Department of Transportation would come 2 years later.

As President Johnson sought election in 1964 to a full term, he unveiled the idea of a “Great Society” as the guiding theme of his presidency. During a commencement address at the University of Michigan on May 22, 1964, he said, “The purpose of protecting the life of our Nation and preserving the liberty of our citizens is to pursue the happiness of our people. Our success in that pursuit is the test of our success as a Nation.”

He told the graduates: “Your imagination, your initiative, and your indignation will determine whether we build a society where progress is the servant of our needs, or a society where old values and new visions are buried under unbridled growth. For in your time we have the opportunity to move not only toward the rich society and the powerful society, but upward to the Great Society.”

LBJ—The Frantic Commuter

For years while serving in Congress, Lyndon B. Johnson and his family lived in a brick colonial at 4921 30th Place, NW, in the District of Columbia’s Forest Hills neighborhood. On his daily commute, he drove to the Capitol along the Connecticut Avenue corridor, as biographer Robert A. Caro described, based on a 1951 article in *The Saturday Evening Post*:

“He was the old Lyndon Johnson ... driving down Connecticut Avenue with one hand on the wheel, the other frenziedly twisting the dial on the car’s radio back and forth from one station to another searching for news broadcasts, shouting obscenities at broadcasters who said something with which he didn’t agree. He was constantly sounding his horn to get other drivers out of his way--if they didn’t move aside quickly enough, he would lean out the window and curse them; passing them on their right, he would bang his big left hand down on the outside of his car to startle them.”

The Great Society would rest “on abundance and liberty for all,” would fight for an “end to poverty and racial injustice,” and would be a place where people were “more concerned with the quality of their goals than the quantity of their goods.” The Great Society was not a destination, but “a challenge constantly renewed, beckoning us toward a destiny where the meaning of our lives matches the marvelous products of our labor.”

The Landslide

On November 3, 1964, President Johnson defeated the Republican candidate, Senator Barry M. Goldwater of Arizona, by a landslide in the popular vote (43.1 million to 27.1 million) and in the Electoral College (486 to 52). As Professor Julian E. Zelizer explained in his 2015 book, *The Fierce Urgency of Now: Lyndon*

Johnson, Congress, and the Battle for the Great Society, the vote did more than give President Johnson a historic win:

"Goldwater's extreme right-wing candidacy, as well as the excitement over Johnson's legislation and the positive memories in the electorate of John Kennedy, drove the size of Democratic majorities to historic levels. The composition of Congress... changed dramatically. With huge majorities in the House (295–140) and the Senate (68–32), Democrats would have more seats than at any time since 1936.... The conservative coalition in Congress had been reduced to its smallest size since it had formed... 'There were so many Democrats,' noted the young Illinois [Republican] representative Donald Rumsfeld upon surveying the landscape after Lyndon Johnson's victory, 'that they had to sit on the Republican side of the aisle.'"

The combination of a Presidential landslide and widespread Democratic control of the new Congress gave President Johnson an opportunity that few Presidents have had. He took full advantage of it domestically with a wide range of proposals. He had been successful during 1964 in the 88th Congress, but the 89th Congress, as Professor Zelizer put it, "was potentially more fertile ground for the broad range of controversial programs on his dream agenda."

The Dream Agenda

After announcing his Great Society theme, President Johnson established 14 task forces of academicians, government officials, and prominent citizens to develop policy recommendations. In November 1964, the transportation task force offered the White House a wide range of ideas, such as establishing a board to coordinate the Federal investment budget and investment planning; continuing the Highway Trust Fund, but diverting up to 5 percent to a new fund for outdoor recreation facilities; and eliminating restrictions on the use of market forces rather than regulation to establish transport charges. The task force also recommended establishing a national

transportation department but provided little discussion of the subject.

Did You Know?

- Three former Federal Highway Administrators became Secretary of Transportation: John A. Volpe (1969–1972), Rodney E. Slater (1997–2001), and Mary E. Peters (2006–2009). No other Secretary was formerly head of a USDOT agency.
- Only one former Federal Highway Administrator has served as Deputy Secretary of Transportation: Victor M. Mendez (2014–present).
- Secretary Norman Y. Mineta served the longest term as Secretary (2001–2006).
- Four mayors have served as Secretary: Norman Y. Mineta (San José, CA), Federico Peña (Denver, CO), Neil Goldschmidt (Portland, OR), and Anthony R. Foxx (Charlotte, NC).
- As newspaper articles always pointed out when reporting on the third Secretary of Transportation, Claude S. Brinegar (1973–1975), his last name rhymed with *vinegar*.

President Johnson distilled ideas from his Great Society task forces in his State of the Union Address on January 4, 1965, his first as an elected Chief Executive. Of transportation, he said, “In a country that spans a continent, modern transportation is vital to continued growth.” He planned to propose a new policy on the Merchant Marine, a study of high-speed rail transportation, and heavier reliance on competition. He did not mention USDOT.

In the first year of the Great Society, the 89th Congress approved many important laws, including the Appalachian Regional Development Act, the Elementary and Secondary Education Act (establishing Head Start among other measures), the Highway Beautification Act, the Social Security Amendments (authorizing Medicaid and Medicare), the Voting Rights Act, and legislation creating the National Endowment for the Arts, the National Endowment for the Humanities, and the Department of Housing and Urban Development (HUD).

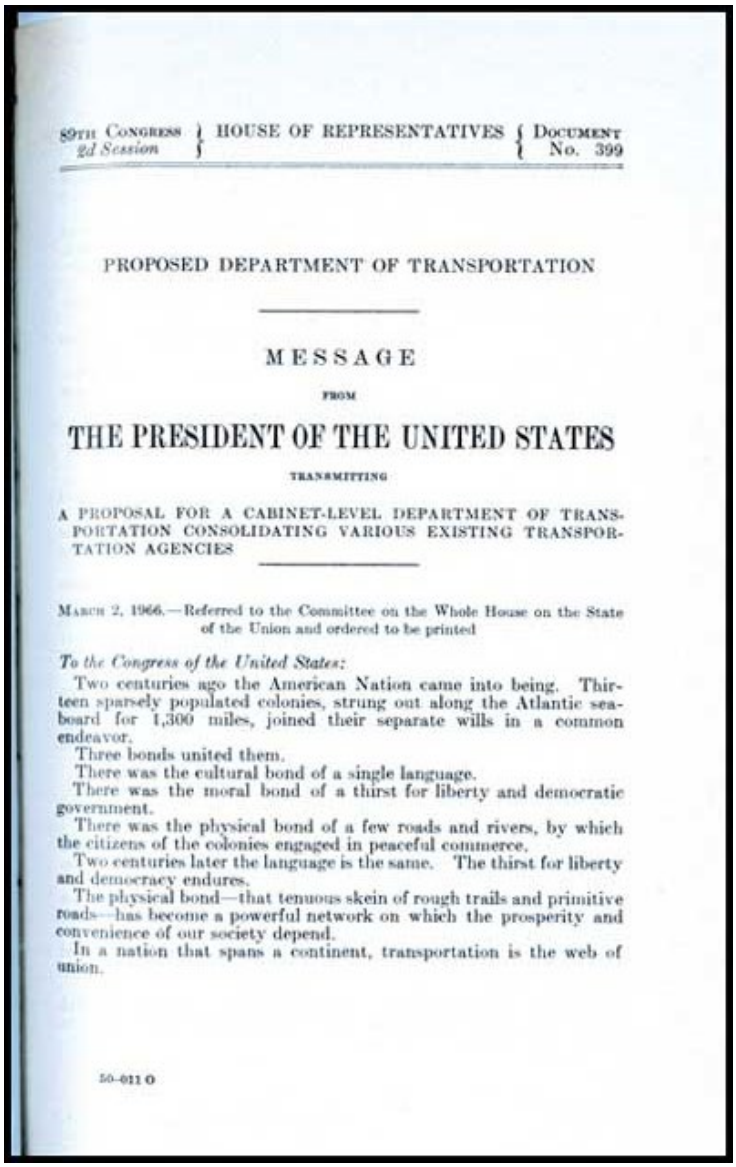
In an oral history, Alan S. Boyd (left), who would soon be the first Secretary of Transportation, recalled that the first he knew of his nomination was the day of the announcement at the President's Texas ranch. The President handed Boyd a biographical sketch. "Look at this," the President said, "and see if it looks all right to you." Boyd said, "Yes, sir, it looks good to me!" Boyd then said, "I'm extremely grateful to you, Mr. President, and the only thing I can tell you is that I'll work hard as hell, and I'll never do anything to embarrass you."

Conceiving a Department

The idea of a Federal transportation agency was not new. As early as 1874, the concept had grown out of a longstanding dislike of the railroad companies, their stock manipulations, and their preferential rates for large companies. Historians usually credit Representative LaurinD. Woodworth (R–OH) with introducing the first bill, in January 1874, to establish a Federal transportation agency. It would regulate the management of railroad and transportation companies employed in interstate commerce. In 1887, Congress responded to the agitation by creating the Interstate Commerce Commission.

Proposals to coordinate transportation within a single department continued through the 20th century, with President Dwight D. Eisenhower mentioning the idea, almost in passing, in his final budget message to Congress in January 1961. The proposals, however, could not overcome the challenge of unifying such disparate enterprises as rail, air, water, transit, and highway transportation.

Each mode had developed in its own day, subject to its unique technology, financing, and set of laws and regulations. By the 1960s, railroads were in decline, air travel was expanding, waterway travel was proving increasingly uneconomical, the Merchant Marine was declining, and public transit was deteriorating as the private companies that dominated the mode went bankrupt, leaving cost-strapped cities to operate money-losing bus and rail lines. Traffic congestion in every big city reflected the dominance of the highway component of the transportation network, especially with construction of the interstate system at its height.



89TH CONGRESS 2d Session } HOUSE OF REPRESENTATIVES { DOCUMENT No. 399

PROPOSED DEPARTMENT OF TRANSPORTATION

MESSAGE

FROM

THE PRESIDENT OF THE UNITED STATES

TRANSMITTING

A PROPOSAL FOR A CABINET-LEVEL DEPARTMENT OF TRANSPORTATION CONSOLIDATING VARIOUS EXISTING TRANSPORTATION AGENCIES

MARCH 2, 1966.—Referred to the Committee on the Whole House on the State of the Union and ordered to be printed

To the Congress of the United States:

Two centuries ago the American Nation came into being. Thirteen sparsely populated colonies, strung out along the Atlantic seaboard for 1,300 miles, joined their separate wills in a common endeavor.

Three bonds united them.

There was the cultural bond of a single language.

There was the moral bond of a thirst for liberty and democratic government.

There was the physical bond of a few roads and rivers, by which the citizens of the colonies engaged in peaceful commerce.

Two centuries later the language is the same. The thirst for liberty and democracy endures.

The physical bond—that tenuous skein of rough trails and primitive roads—has become a powerful network on which the prosperity and convenience of our society depend.

In a nation that spans a continent, transportation is the web of union.

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In a message to Congress on March 2, 1966, President Johnson called for legislation creating the Department of Transportation, establishing the National Transportation Safety Board, and improving highway and vehicle safety.

The idea of a single department to address the diverse problems of a stressed, complex transportation system was becoming more realistic, as maintained by Administrator Najeeb E. Halaby of the Federal Aviation Agency, as it was called at that time. Halaby was leaving office when he revived the idea in a letter to the President on June 30, 1965. Halaby had been frustrated that the Department of Defense had dominated internal discussion of supersonic transport airplanes. In reaction, he suggested establishing a

single transportation department. Creation of such a department would lead to “consistent, integrated transportation policies and a balanced national transportation system.”

Following up on the suggestion, President Johnson established a new task force in August 1965 to flesh out a transportation agenda for 1966. Alan S. Boyd, at the time Under Secretary of Commerce for Transportation, and Assistant Director Charles Zwick of the Bureau of the Budget took the lead. As the task force completed its work, the Special Assistant to the President for domestic affairs, Joseph A. Califano, Jr., sent a memo to him on September 22, 1965. With the President’s approval, Califano said he would advise Boyd and Zwick to prepare papers on establishing USDOT, reorganization of the regulatory transportation functions, a program of deregulation to make transportation rates more competitive and rational, and a major highway safety program. President Johnson checked “Approved” and added: “Hooray!”

On September 9, 1966, President Johnson approved two laws that resulted from his message to Congress: the National Traffic and Motor Vehicle Safety Act to make automobiles safer and the Highway Safety Act to make roads safer. After the ceremony, he distributed the pens used to sign the laws to Representative George H. Fallon (left), chairman of the House Committee on Public Works, and Senator Jennings Randolph, chairman of the Senate

Committee on Public Works.

Historian Robert Dallek, in *Lyndon B. Johnson: Portrait of a President* (2005), explained that the President's supportive response was not surprising. "The role of the Federal Government in managing the country's transportation systems was a microcosm of Johnson's views of Federal authority."

In his State of the Union Address on January 12, 1966, President Johnson proposed creation of USDOT "to bring together our transportation activities." With 35 Government agencies involved in transportation, he said, the "present structure . . . makes it almost impossible to serve either the growing demands of this great Nation or the needs of the industry, or the right of the taxpayer to full efficiency and frugality."

He followed up on March 2, 1966, by submitting a special message to Congress on transportation. "In a Nation that spans a continent," he said, "transportation is the web of union." The "tenuous skein of rough trails and primitive roads" of the Nation's early years had become "a powerful network on which the prosperity and convenience of our society depend."

He listed the current system's deficiencies, which in the area of highways included the following: "time-consuming, frustrating, and wasteful congestion" ... "super-highways for super-charged automobiles--and yet [we] cannot find a way to prevent 50,000 highway deaths this year," ... and a network of "new freeways to serve new cities and suburbs" that "carelessly scars the irreplaceable countryside."

He urged creation of USDOT "to serve the growing demands of this great Nation, to satisfy the needs of our expanding industry and to fulfill the right of our taxpayers to maximum efficiency and frugality in Government operations."

As proposed, USDOT would include the independent Federal Aviation Agency, the Federal Maritime Administration from the Commerce Department, the

safety functions of the Interstate Commerce Commission and the Civil Aeronautics Board, the U.S. Coast Guard from the Treasury Department in peacetime, and other smaller transportation agencies.

The Bureau of Public Roads, also from Commerce, would join USDOT, but the Housing and Home Finance Agency, which administered the Urban Mass Transportation Act of 1964, would remain in HUD. The President said that he would ask the new Secretary of Transportation to work with the HUD Secretary to submit proposals on “a unified Federal approach to urban problems.”

After meeting with industry officials, the White House had concluded that consolidating the economic regulatory functions of the Civil Aeronautics Board, Interstate Commerce Commission, and the Federal Maritime Administration in the new department would be highly controversial. Therefore, officials dropped the idea of including these functions in the new department.

The March 2 message to Congress also called for traffic safety legislation to reduce the toll of death and injury on the Nation’s roads. About 1.5 million people had died in car crashes, President Johnson said--“more than all the combat deaths suffered in all our wars.” He told Congress, “The carnage on the highways must be arrested, [and] we must replace suicide with sanity and anarchy with safety.”

To create this “aggressive highway safety program,” he urged Congress to pass the National Traffic and Motor Vehicle Safety Act of 1966. It would establish three critically important components. First, Federal grants to the States for highway safety would be increased to assist with measures such as driver education and licensing, advanced traffic control techniques, regular vehicle safety inspections, and police and emergency medical services. Second, automobile safety performance would be improved by requiring design and engineering changes to make cars safer. Third, the Federal Government’s highway safety research efforts would be expanded.

In concluding the special message, President Johnson said that with a growing population and industry, the country needed “new institutions, new programs of research, [and] new efforts to make our vehicles safe as well as swift.” Modern transportation could be “the rapid conduit of economic growth--or a bottleneck.” It could improve the standard of living or multiply its costs. It could be a convenience and a pleasure “or it can frustrate and impede and delay.” The choice, he said, “is ours to make.”

Tail End of a Landslide

President Johnson recognized that the constituencies backing each mode of transportation might be strongly opposed to the changes the new department might impose. Professor Randall B. Woods, in *LBJ: Architect of American Ambition* (2006), wrote, “LBJ and Joe Califano had spent endless hours with the constituencies involved--railroad executives and unions, truckers, auto manufacturers, shipbuilders, airline industry executives--getting them onboard.”

Historian Dallek recounts that, upon learning that the head of the American Trucking Associations supported the plan, the President assured Califano, “We’re going to get our Department of Transportation!” The truckers, he explained, “knew how to deal on Capitol Hill.” From his long experience in Congress, he added, probably jokingly, “they deal one on one and only in cash.” According to Califano, the President “slapped his leg approvingly.”

Under Secretary Boyd promoted the plan with industry groups, the press, and on Capitol Hill. Very quickly, several problems emerged. The most difficult issue was whether the Federal Maritime Administration should be included. Dallek explained, “Shipowners and maritime labor unions supported by a bipartisan majority in the House wanted to create an independent Maritime Administration that would give special attention to the problems of an ailing industry.” Johnson was concerned that excluding the Federal Maritime Administration would undermine the concept of a transportation department. Further, if the Maritime

Administration were excluded, constituencies for other agencies might demand that they also remain where they were.

Did You Know These As Well?

- Three former Members of Congress, all in the House of Representatives, served as Secretary: Adams (1965–1977), Norman Y. Mineta (1975–1993), and Ray LaHood (1995–2009).
- Three African-Americans have served as Secretary: William T. Coleman, Jr. (1975–1977), Rodney E. Slater (1997–2001), and Anthony R. Foxx (2013–present).
- Two women have served as Secretary: Elizabeth H. Dole (1983–1987) and Mary E. Peters (2006–2009).

Senator John L. McClellan (D–AR), who was chairman of the Committee on Government Operations that would consider the proposal, was another obstacle. His primary objection was to Section 7 ("Transportation Investment Standards"). The section called on the Secretary of Transportation, subject to the President's approval, to develop standards and criteria, consistent with national transportation policy, "for the formulation and economic evaluation of all proposals for the investment of Federal funds in transportation facilities or equipment."

Senator McClellan and other Members of Congress saw this provision as an attack on civil works projects sponsored by the U.S. Army Corps of Engineers, such as the McClellan-Kerr Arkansas River Navigation System to transform the Arkansas River into an inland waterway. Such projects had long been understood in Congress as pork barrel spending that helped Members of Congress get reelected. In an oral history, Secretary Boyd recalled Senator McClellan looking over the bill until "his beady eyes settled on Section 7 and, boy, that was the end of it. And that was the only thing he was interested in."

More Snarls in Congress

Other concerns were raised during congressional consideration of the bill. One was that shifting existing programs into the new department would disrupt

longstanding relationships. For example, Charles E. Shumate, president of the American Association of State Highway Officials, called the 50-year partnership of the Bureau of Public Roads and State highway agencies “an outstanding one. We wouldn’t want anything to destroy it.”

Another recurring concern was the decision to leave the transit program in HUD at a time when cities were seeking flexibility to use highway funds for highways or transit. The White House was sufficiently concerned about this issue that it prepared a possible amendment to shift transit programs to USDOT, but the idea never secured the needed votes.

The future of the Federal Maritime Administration, however, was the dominant issue. The House Committee on Government Operations passed the bill on June29. The bill retained the Federal Maritime Administration, but weakened Section 7 by prohibiting any criteria or standards that were contrary to an act of Congress and setting up a waiting period to give Congress time to review the proposal. It also exempted aid programs for highway and airport construction from Section 7.

Despite the committee’s bipartisan support, the congressional leadership delayed a vote on the House floor when head counts showed that the bill would fail if the Federal Maritime Administration remained in the bill. The maritime industry and labor leaders were adamant that they wanted an independent agency. An unnamed leader of the fight acknowledged that the White House was angry with maritime leaders but explained, “We couldn’t be worse off, no matter how much they want to kick us around later because of our fight now.”

Finally, the White House realized it had no choice. If it wanted the House to pass the USDOT bill, the Federal Maritime Administration would have to be dropped. With the Administration no longer fighting for inclusion, the House voted 260–117 to strip the agency from the bill. The House also removed Section 7, before approving what The *Wall Street Journal* called “an

emasculated version” of the bill on August 30 by a vote of 336–42.

Hoping for a better result in the Senate, the White House resumed fighting for inclusion. The idea was that if the Senate included the Federal Maritime Administration, the House-Senate conference committee to resolve differences between the two bills might retain it in the final version.

The Senate Committee on Government Operations approved the USDOT bill that included the Federal Maritime Administration on September 22. The committee attempted to appease critics by stipulating that each agency representing the four forms of transportation--air, highway, maritime, and rail--would be headed by an administrator nominated by the President and confirmed by the Senate. These administrators also would have some independence from the USDOT secretary on safety matters.

The Senate voted 64 to 2 to approve the bill on September 29. The bill retained the Federal Maritime Administration in USDOT, while strengthening the provisions giving it independence from the secretary. The bill also retained Section 7, but mandated that any standards or criteria would require congressional approval before the secretary could promulgate them.

On October 15, President Johnson used multiple pens to sign the Department of Transportation Act of 1966. (Left to right from lectern) Secretary of the Treasury

Henry H. Fowler, Senator Karl E. Mundt (R–SD), Representative Florence P. Dwyer (R–NJ), Representative Chet Holifield (D–CA), Senator Warren Magnuson (D– WA), Senator Henry M. Jackson (D–WA), Secretary of Commerce John T. Connor, and Speaker of the House John W. McCormack (D–MA).

The conference committee completed its work on October 12. In conference, the Senate agreed to drop the Federal Maritime Administration from the bill, and the House accepted the Senate version of Section 7. In addition, conferees left the transit aid program in HUD at the request of metropolitan officials who were still adjusting to the programs created by the Urban Mass Transportation Act of 1964.

Initially, the main elements of the new Department were the Federal Aviation Administration, Federal Highway Administration, Federal Railroad Administration, Saint Lawrence Seaway Development Corporation (from Commerce), and the U.S. Coast Guard (from the Treasury Department).

Congress also altered the unified line of command under the Secretary. The Federal Aviation Administrator's decisions were "administratively final," subject to oversight only by the National Transportation Safety Board and the courts, not the Secretary, as were the actions of the administrators of FHWA and the Federal Railroad Administration regarding functions transferred from the Interstate Commerce Commission on truck, rail, and pipeline safety.

The House and Senate approved the Department of Transportation Act of 1966 by voice votes on October13, just days before the 89th Congress adjourned on October 22 after 2 years of addressing President Johnson's Great Society proposals.

"Another Coonskin On the Wall"

President Johnson signed the Department of Transportation Act on October 15, 1966, before about

200 guests in the East Room of the White House. The guests did not include leaders of the maritime corporations or unions. President Johnson was still mad at them for blocking inclusion of the Federal Maritime Administration in the 12th Cabinet-level Department.

Johnson began his remarks with a sweeping overview of the Nation's transportation history. "In a large measure, America's history is a history of her transportation." Population was linked by water at first, then crude roads, flatboats, and the railroads. In the 20th century, automobiles and airplanes "helped knit our Nation together, and ... with other nations throughout the world." The U.S. transportation system was "the greatest of any country in the world," he said, but "we must face facts." The system was "no longer adequate."

He explained: "Today we are confronted by traffic jams. Today we are confronted by commuter crises, by crowded airports, by crowded air lanes, by screeching airplanes, by archaic equipment, by safety abuses, and roads that scar our Nation's beauty."

The U.S. population was expected to double over the next two decades, meaning the Nation's future transportation lifeline "is tangled."

USDOT "will have a mammoth task--to untangle, to coordinate, and to build the national transportation system for America that America is deserving of."

With USDOT's help, "A day will come in America when people and freight will move through this land of ours speedily, efficiently, safely, dependably, and cheaply. That will be a good day and a great day in America."

The bill fell short "of our original hopes" in some ways, he said, particularly its exclusion of the Federal Maritime Administration. He hoped that Congress would reexamine "its decision to leave this key transportation activity" outside USDOT.

Referring to the many signing ceremonies during the 89th Congress, he closed his remarks by saying: "I

don’t guess it would be good to say this, and I may even be criticized for saying it, but this, in effect, is another coonskin on the wall.”

The Pageant of Transportation

The Department of Transportation Act of 1966 (Public Law 89-670) began with a declaration of purpose: “The Congress hereby declares that the general welfare, the economic growth and stability of the Nation and its security require the development of national transportation policies and programs conducive to the provision of fast, safe, efficient, and convenient transportation at the lowest cost consistent therewith and with other national objectives, including the efficient utilization and conservation of the Nation’s resources.”

The new Department would “assure the coordinated, effective administration of the transportation programs of the Federal Government.”

The Department brought together 31 agencies and bureaus, including the Bureau of Public Roads, which had by far the largest budget ($4.4 billion) in a Department with a total budget of $6.6 billion.

Yoichi R. Okamoto, LBJ Library Collection

With President Johnson looking on in the East Room of the White House, Judge James Randall Durfee (left) administered the oath of office to Secretary of Transportation Alan S. Boyd on October 16, 1967. The

Secretary's wife Flavil holds the Bible.

Yoichi R. Okamoto, LBJ Library Collection

At the White House, Secretary Boyd and President Johnson are interrupted by Yuki ("snow" in Japanese). The President's daughter Luci found the dog at a Texas gas station while the family was on the way to the LBJ Ranch on Thanksgiving Day.

Secretary Alan S. Boyd administered the oath of office to the new Federal Highway Administrator, Lowell K. Bridwell, on March 23, 1967. Bridwell, a former journalist, had served as Acting Deputy Federal Highway Administrator in 1964 and was Deputy Under Secretary of Commerce for Transportation before

taking office as Administrator. He served until the end of the Johnson Administration on January 20, 1969.

During the signing ceremony, President Johnson had declined to name the first Secretary of Transportation. “Because the job is great,” he said, “I intend to appoint a strong man to fill it.” The Secretary would be his principal advisor on transportation, as well as “the best equipped man . . . to give leadership to the country, to the President, to the Cabinet, to the Congress.”

The Volpe Construction Company constructed the Nassif Building at 400 Seventh Street, SW. It would serve as USDOT headquarters until the Department moved to its current headquarters at 1200 New Jersey Avenue, SE, in 2007. By coincidence, the head of the construction company, John A. Volpe, would become Secretary of Transportation in 1969.

While staying at his Texas ranch on November 6, President Johnson announced that he would nominate Under Secretary Boyd to be the Secretary. A 44-year-old lawyer, Boyd had been general counsel of the Florida Turnpike Authority and chairman of the Florida Railroad and Public Utilities Commission before President Eisenhower appointed him to the Civil Aeronautics Board, where Boyd became chairman in 1961. President Johnson appointed him Under

Secretary of Commerce in 1965.

The U.S. Department of Transportation opened for business on April 1, 1967. The Department combined with the Smithsonian Institution to stage a "Pageant of Transportation" on the National Mall featuring examples of transportation from the past, present, and future. They included a tethered balloon, a hydroskimmer, and a horsedrawn omnibus. Secretary Boyd rode in all of them.

On January 16, 1967, Boyd took the oath of office for Secretary of Transportation before about 200 guests--Members of Congress, Cabinet officers, transportation industry representatives, and friends and family--in the East Room of the White House. Although the President drew laughs when he joked that some people might attack his “credibility” (a reference to the “credibility gap” that was growing as a result of the Vietnam War), he had looked “this country over” to find the best man for the job. “We looked at business, we looked at labor, we looked at public officials, we looked at State commissions, and so forth. And the one and only name that came up was Alan Boyd.”

The President explained that Boyd would “coordinate a national transportation policy for this great land of ours . . . and give the kind of results that the American people would like to point to with pride.”

With Boyd’s wife Flavil holding the Bible, he repeated the oath of office administered by Judge James Randall Durfee of the U.S. Court of Claims.

USDOT opened for business on April 1, 1967. On the National Mall, Secretary Boyd participated in opening ceremonies that were combined with the Smithsonian Institution’s third annual Rite of Spring, titled the “Pageant of Transportation” for the occasion.

According to an account in *The Washington Post*, “Everything seemed to be happening at once” on a sun-drenched day. As bands played, large crowds enjoyed seeing past, present, and future vehicles, including a llama, a 15-passenger horse-drawn omnibus from 1880 (pulled by mules on this occasion), a tethered balloon, antique automobiles dating to 1910, an air-cushioned hydroskimmer for water travel, and a rocket-propelled man.

During a news conference, Secretary Boyd pledged that USDOT would work to make transportation more efficient and more socially responsible. In a remark that seemed directed at the impacts of the urban

interstate highways, he added, “We want an end to the noise, pollution, and general disfigurement transportation has unintentionally brought to our cities.”

(Under Reorganization Plan No. 2, adopted July 1, 1968, President Johnson transferred administration of the mass transit programs from HUD to USDOT, establishing the Urban Mass Transportation Administration (now the Federal Transit Administration). The National Transportation Safety Board became independent of USDOT on April 1, 1975. The Federal Maritime Administration moved to USDOT in 1981. In 2003, legislation transferred the U.S. Coast Guard from USDOT to the new Department of Homeland Security.)

Federal Highway Administration

The first Federal road agency began in 1893 as the Office of Road Inquiry in the Department of Agriculture. It evolved through several names and changing missions, but by the 1960s, the Bureau of Public Roads was working with the State highway agencies to implement the Federal-aid highway program begun in 1916 and to build the National System of Interstate and Defense Highways launched in 1956.

On the same day that USDOT opened on April 1, 1967, FHWA began operations with four bureaus. One of them, the Bureau of Public Roads, would remain responsible for administering the Federal-aid highway program in partnership with the State highway agencies. It was headed by a career employee, Director Francis C. “Frank” Turner.

In addition, the new agency included three safety bureaus. The Bureau of Motor Carrier Safety, formerly part of the Interstate Commerce Commission, had jurisdiction over the safety of 3 million trucks and buses. The two others grew out of President Johnson’s March 1966 message on transportation. In a Rose Garden ceremony at the White House on September 9, he had signed two bills that created the

National Traffic Safety Bureau (vehicle performance standards) and the National Highway Safety Bureau (highway safety standards).

President Johnson nominated Lowell K. Bridwell to be Federal Highway Administrator. He was the first head of the Federal road agency since its beginnings in 1893 who was not, in some way, a road builder. Bridwell had been a journalist, most recently for the Washington bureau of Scripps-Howard Newspapers, a post he had assumed in 1958. Transportation had been one of his specialties.

He joined the Commerce Department in 1962 as assistant to Under Secretary for Transportation Clarence Martin, Jr., before being appointed the Bureau of Public Road's Acting Deputy Federal Highway Administrator in January 1964, a post he held until becoming Deputy Under Secretary of Commerce for Transportation (Operations) on July 2, 1964. He helped draft President Johnson's March 2 message on transportation. Following Senate confirmation, he took office as Federal Highway Administrator on March 23, 1967.

(The two safety bureaus separated from FHWA and became the National Highway Traffic Safety Administration in March 1970. The Bureau of Motor Carrier Safety evolved into the Federal Motor Carrier Safety Administration on January1, 2000, under the Motor Carrier Safety Improvement Act of 1999.)

Section 4(f)

Before completing work on the Department of Transportation bill, the Senate Committee on Government Operations amended it to include Section 4(f). This section prohibited the Secretary of Transportation from approving any program or project requiring the use of land from a public park, recreation area, wildlife and waterfowl refuge, or historic site unless "there is no feasible alternative to the use of such land" and the program includes "all possible planning to minimize harm" to the land.

Secretary of Transportation Boyd (left) congratulates Francis C. “Frank” Turner after he took the oath of office to become director of the Bureau of Public Roads, one of four bureaus in the new Federal Highway Administration.

Senator Ralph Yarborough (D–TX) had introduced a similar provision during consideration of the Federal-Aid Highway Act of 1966, which President Johnson approved on September 13. The Senator was concerned about a plan to route a U.S. 281 freeway through a park in San Antonio. The 1966 Act included the provision as Section 138 of Title 23, United States Code (U.S.C.), but it was watered down to call for “cooperation” and “consideration” rather that explicit defense of the resources.

During the conference committee on the USDOT Act, the amendment was modified to change “no feasible alternative” to “no feasible and prudent alternative.” House conferees had insisted on the change because they thought the original language meant the Secretary was required to protect the specified resources regardless of other considerations--such as

meeting transportation needs. With the addition of "and prudent," they thought the provision would be "workable and effective," as Representative John C. Kluczynski (D–IL), chairman of the Subcommittee on Roads, told his colleagues before final approval of the bill.

The USDOT Symbol: The Triskelion

After becoming the first Secretary of Transportation, Alan S. Boyd was looking for a way to give the new Department a sense of identity. He settled on a contest among its 90,000-plus employees to develop a departmental logo. As announced on August 10, 1967, a panel of judges selected a design by James M. Ashworth, a Federal Aviation Administration employee, depicting a triskelion, a symbol of progress in heraldry. Ashworth, who received a $500 savings bond, said the triskelion symbolizes continual progress in the development of safe, rapid, and economical transportation, with the three branches of the triskelion reflecting ground, air, and water transportation. The counterclockwise motion of the symbol stressed USDOT's efforts to reduce travel time. The logo depicted a white triskelion in a solid red circle surrounded by "Department of Transportation* United States of America."

In 1977, the color scheme shifted to blue with a white triskelion. The color scheme was retained in 1981 when USDOT decided to reverse the triskelion because the original version appeared to be running in reverse. The new version, according to officials, achieved "greater visual balance with more implied forward motion."

(*Left*) Secretary Boyd reviewed hundreds of entries in a competition to design an insignia for the new USDOT. The winning entry shown here was designed by James M. Ashworth, a Federal Aviation Administration employee. (*Right*) In 1981, USDOT updated the logo

and reversed the triskelion.

Contrary to Representative Kluczynski's expectation, interpretation of "feasible or prudent" required a Supreme Court ruling. In a case involving the routing of I–40 through Overton Park in Memphis, TN, the court ruled in favor of the plaintiffs. The opinion written by Justice Thurgood Marshall stated that Section 4(f) "is a plain and explicit bar to the use of Federal funds for construction of highways through parks--only the most unusual situations are exempted."

Secretary Anthony R. Foxx and six of his predecessors took part in the kickoff event to celebrate USDOT's 50th anniversary. (Left to right) Secretary Foxx and former Secretaries of Transportation Mary E. Peters, Norman Y. Mineta, Rodney E. Slater, Samuel K. Skinner, James H. Burnley IV, and Alan S. Boyd.

The court recognized the place of cost, directness of route, and community disruption in highway routing, the type of considerations Representative Kluczynski had in mind, but the existence of the statute "indicates that protection of parkland was to be given paramount importance." (Ultimately, the State abandoned the park route and, with FHWA approval, routed I-40 onto the northern beltway around Memphis.)

President Lyndon B. Johnson's daughter, Lynda Johnson Robb, represented the family at the kickoff event. Secretary Foxx presented a framed USDOT 50th Anniversary logo to Robb for the family's collection.

Section 4(f) of the Department of Transportation Act, as defined by Justice Marshall, remains a key component of FHWA's environmental stewardship responsibilities. (Because of later amendments, Section 4(f) is now Section 303 in Title 49, U.S.C. and Section 138 of Title 23, U.S.C., but is still commonly referred to as Section 4(f).)

State DOTs

One of the tasks Secretary Boyd took on was to promote the creation of State departments of transportation. New Jersey had been the first State to form a DOT. In May 1966, Governor Richard J. Hughes asked the legislature to approve the department as part of a plan to improve commuter rail services. The legislature approved the Transportation Act of 1966 in June, with the new agency to begin operations on July 1. However, Governor Hughes did not sign the legislation until December 12, when he also named his counsel, David J. Goldberg, to be the first commissioner of the New Jersey Department of

Transportation. The agency combined the highway, rail, and aviation responsibilities with the State's toll authorities, which retained "politic and corporate" autonomy.

Secretary Boyd and his staff visited Governors and legislators to encourage them to create counterparts aligned with USDOT. For example, Secretary Boyd, in a visit to South Carolina in late 1967, told officials that a State transportation department would provide "closer coordination among agencies concerned with air, sea, and land travel." He added, "Without this kind of close coordination, it is virtually impossible to make intelligent choices among transportation alternatives which must be made to produce a balanced system."

Today, every State has a transportation department except one (the Nebraska Department of Roads).

The Golden Anniversary

In 2016, the U.S. Department of Transportation is celebrating its 50th anniversary by emphasizing the themes of safety, opportunity, and innovation. These themes capture, in broad terms, USDOT's goals from the start.

On February 3, Secretary of Transportation Anthony R. Foxx kicked off the 50th anniversary in the ceremonial atrium of the headquarters' West Building. Six of the 16 predecessors joined Secretary Foxx: Alan S. Boyd, the first Secretary of Transportation (1967–1969); James H. Burnley IV (1987–1989); Samuel K. Skinner (1989–1991); Rodney E. Slater (1997–2001); Norman Y. Mineta (2001–2006); and Mary E. Peters (2006–2009). Coming onto the stage last, Secretary Boyd, 93 years old, received a standing ovation from the large crowd of officials and guests in the atrium.

The kickoff event ended with the ceremonial cutting of an anniversary cake. Left to right, Secretary Foxx and former Secretaries Skinner, Boyd, Mineta, Peters (obscured), and Slater.

Secretary Foxx told the crowd, “Some radical changes have transpired over the past five decades.” Population has increased from just under 200 million people to more than 320 million. New technologies have emerged in every facet of transportation. “Accommodating these changes has been perhaps the greatest challenge of this Department.” He added, “And, frankly, these kinds of major changes are going to keep coming.” As these changes have occurred, USDOT’s employees have “proven their ability to integrate and innovate.”

Sharing experiences around the conference room

table are (left to right): Lynda Johnson Robb, former President Johnson's daughter; and Alan S. Boyd, Mary E. Peters, Samuel K. Skinner, Rodney E. Slater, James H. Burnley IV, Secretary Anthony R. Foxx, and Norman Y. Mineta.

Generations of employees and leaders have worked hard, Secretary Foxx said, to achieve the goal President Johnson set for us: "To build the transportation system for America that America is deserving of." After applauding the Department's five decades of achievement, Secretary Foxx concluded his remarks with an invitation to all USDOT officials and employees: "Let us strengthen our resolve to use transportation as a tool to connect all people to opportunities. And let us rededicate ourselves to building a transportation system worthy of our Nation's enormous potential."

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For information on the history of highway transportation, please visit FHWA's Highway Historypage at www.fhwa.dot.gov/infrastructure/history.cfm. The archival research of Jeff Davis of the Eno Center for Transportation into the formation of USDOT was helpful in the preparation of this article.

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